IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.158 OF 2006

Ramesh Dharma Vaity ...Petitioner
vs.
The State of Maharashtra
and others ...Respondents

Ms Darpana Nagarkar i/b Bhavesh Parmar for the petitioner
Mr.Nishal Phal, A.G.P.for the respondent No.1
Mr.H.S.S.Murthy for Respondent No.3

CORAM:H.L.GOKHALE & A.S.OKA,JJ.
DATE : FEBRUARY 6,2006

P.C.:

1. Heard Ms Nagarkar in support of this Petition and Mr.Murthy for Respondent No.3. The grievance of the Petitioner is that in spite of the order passed by the City Civil Court, Respondent No.3 has proceeded to disconnect the water and power supply of the Petitioner. The Petition is filed so that the same is to be restored. The order passed by the Division Bench of this Court earlier on 8th April 2005 is annexed to the Petition which enabled the Petitioner to approach the City Civil Court for obtaining appropriate relief. For a limited period High Court had restrained the Respondent from obstructing or interfering with the premises of the Petitioner.

2. Mr.Murthy points out that subsequently all the ad-interim orders have been refused. In any case, this submission is to

be canvassed before the City Civil Court that according to the Petitioner there is any breach of the order passed by the City Civil Court. If another remedy is available to the a litigant, he ought to avail of the remedy.

3. With these observations, we dispose of the Petition. Petition is rejected.

(H.L.GOKHALE,J.)

(ABHAY S.OKA,J.)